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Facsimile Cover Sheet

To: Commissioner for Patents for Examiner Daniel Lastra Group Art Unit 3622	Facsimile No.: 571/273-8300
From: Jennifer Pilcher Legal Assistant to Wayne Bailey	No. of Pages Including Cover Sheet: 33
Message: Transmitted herewith: <ul style="list-style-type: none">• Transmittal Document;• Response to Notice of Non-Compliant Amendment;• Copy of Notice of Non-Compliant Amendment;• Copy of Response to Office Action filed on 09/26/05; and• Copy of fax confirmation page confirming that all 23 pages of the original response were successfully received by the USPTO on 09/26/05.	
Re: Application No. 09/879,491 Attorney Docket No: RSW920000174US1	
Date: Wednesday, December 28, 2005	
Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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CENTRAL FAX CENTERIn re application of: **Buche**Serial No.: **09/879,491**Filed: **June 12, 2001**For: **Method and System for
Predicting Customer Behavior Based
on Data Network Geography**§
§
§
§
§
§Group Art Unit: **3622**Examiner: **Lastra, Daniel**Attorney Docket No.: **RSW920000174US1**

DEC 28 2005

37945PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

Certificate of Transmission Under 37 C.F.R. 4.1.8(a)
I hereby certify this correspondence is being transmitted via
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Alexandria, VA 22313-1450, facsimile number (571) 273-8300
on December 28, 2005.

By:


Jennifer PilcherTRANSMITTAL DOCUMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Response to Notice of Non-Compliant Amendment;
- Copy of Notice of Non-Compliant Amendment;
- Copy of Response to Office Action filed on 09/26/05; and
- Copy of fax confirmation page confirming that all 23 pages of the original response were successfully received by the USPTO on 09/26/05.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0457. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0457.

Respectfully submitted,


Gerald H. Glanzman

Registration No. 25,035

Duke W. Yee

Registration No. 34,285

YEE & ASSOCIATES, P.C.

P.O. Box 802333

Dallas, Texas 75380

(972) 385-8777

ATTORNEYS FOR APPLICANT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,491	06/12/2001	Frederick D. Busche	BSW920000174US1	3023
7190	11/30/2003			
Duke Yee Yee & Associates P C 4100 Alpha Road Suite 1100 Dallas, TX 75244			EXAMINER LAstra, DANIEL	
			ART UNIT 3622	PAPER NUMBER

DATE MAILED: 11/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

CLIENT DOCKET INFORMATION

Client Name: BSW920000174US1

File No.:

DATE: 12.30.05 ACTION DOCKETED

Response to Notice
of Non-Compliance
Amendment

Docketed By: MM Date: 12.13.05Checked By: dur Date: 12.15.05Attorney Initials: J Date: 12.16.05

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

09/879,491

Examiner

DANIEL LASTRA

Applicant(s)

BUSCHE, FREDERICK D.

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 26 September 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.
- ☐ B. New paragraph(s) should not be underlined.
- ☐ C. Other _____.

☐ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
- ☐ B. Other _____.

☐ 3. Amendments to the drawings:

- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
- ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
- ☐ C. Other _____.

☐ 4. Amendments to the claims:

- ☐ A. A complete listing of all of the claims is not present.
- ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
- ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
- ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
- ☒ E. Other: See Continuation Sheet.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/oa/oa-preconnotice/officeaction.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Continuation Sheet (PTOL-324)

Application No. 09/878,491

Continuation of 4(e) Other: Pages are missing in Applicant's amendment filed 28 September 2005. The Examiner only received the first 12 pages (i.e. 12/23) from the total of 23 pages. The Applicant needs to resubmit his response filed 28 September 2005.


RAQUEL ALVAREZ
PRIMARY EXAMINER

**Yee &
Associates, P.C.**

4100 Alpha Road
Suite 1100
Dallas, Texas 75244

Main No. (972) 385-8777
Facsimile (972) 385-7766

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To: Commissioner for Patents for Examiner Daniel Lastra Group Art Unit 3622	Facsimile No.: 571/273-8300
From: Jennifer Pilcher Legal Assistant to Wayne Bailey	No. of Pages Including Cover Sheet: 25
Message: Transmitted herewith: <ul style="list-style-type: none">• Transmittal Document; and• Response to Office Action.	
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Date: Monday, September 26, 2005	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Busche

Serial No.: 09/879,491

Filed: June 12, 2001

For: Method and System for
Predicting Customer Behavior Based
on Data Network Geography

37945

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER§
§
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§
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Group Art Unit: 3622

Examiner: Lastra, Daniel

Attorney Docket No.: RSW920000174US1

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By:

Jennifer Pilcher

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P.O. Box 1450
Alexandria, VA 22313-1450

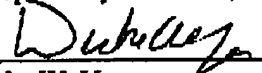
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Respectfully submitted,


Duke W. Yee
Registration No. 34,285
YEE & ASSOCIATES, P.C.
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Dallas, Texas 75380
(972) 385-8777
ATTORNEY FOR APPLICANT

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